

MINUTES OF REGULAR MEETING OF THE  
AMITE RIVER BASIN DRAINAGE & WATER CONSERVATION DISTRICT

3535 S. Sherwood Forest Boulevard, Suite 135, Baton Rouge, LA

**November 14, 2017**

MEMBERS PRESENT DURING ROLL CALL: Ben Babin, Jerry Thibeau, David Hoover, Burrell Carter, James Little, Don Thompson

MEMBERS ABSENT: Lionel Bailey, Willie George Lee, Larry Thomas, Kenneth "Wade" Welborn

ARBC Commissioner Tamiara Wade arrived at 6:05 pm

*Vacancy: East Feliciana Parish*

*Vacancy: St. James Parish*

ALSO PRESENT: ARBC Executive Director Dietmar Rietschier, ARBC Executive Secretary Toni Guitrau, ARBC Legal Counsel Larry Bankston

1. The meeting was called to order at 6:05 p.m. by Babin.
2. Prayer/Pledge of Allegiance.
3. Public Comments on Agenda Items: None
4. Minutes

The Board unanimously approved a motion by Thompson, second by Hoover to approve the September 2017 regular meeting minutes as presented. Note: There were no October regular meeting minutes due to the lack of a quorum for the October meeting.

5. Financial Statement Report:

- Hoover presented to the Board the September and October 2017 General Fund and CRDC Fund financial statements. The Board unanimously approved a motion by Thibeau, second by Thompson to approve the September and October 2017 General Fund and CRDC Fund financial statements.

6. Report by Executive Director:

- Rietschier informed the Board that on November 6, 2017, he attended and testified at a meeting of the Comite River Diversion Canal Project Task Force chaired by Representative Hodges. Rietschier indicated that at this meeting, other federal and state agencies made presentations. DOTD emphasized the Modeling Project they initiated. The Corps' Colonel Clancy explained where the CRDC Project stands in regard to funding. There are \$80 billion of projects in backlog nationwide which includes the CRDC Project. Rietschier said the USACE received \$6.7 million this year for the CRDC Project. This amount is not sufficient to build the Bridges at US Hwy. 61. This will require additional funds from DOTD and ARBC. Mr. Rietschier and the Board continued discussing funding issues for the CRDC Project to do utility relocation and construction of the two bridges. Bankston also attended the Task Force meeting. He indicated we may know by January 2018 how much funds will be available for the CRDC Project. He explained to the Board that it is being discussed between the three parishes that East Baton Rouge Parish may contribute \$15 million, Livingston Parish \$10 million and Ascension Parish \$5 million from Hazard Mitigation Funds to go towards the CRDC Project. The issue with this plan is that a portion of the CRDC Project would have to be deauthorized because there can't be a USACE project receiving funds from FEMA. Then that would require Congress to reauthorize it which may become a problem.
- Rietschier provided and reviewed a cost estimate spreadsheet for the CRDC Project.
- Update on the Application for the Amite River Weir Repair: The Board discussed the USACE Joint Public Notice for Public Comments regarding the Amite River Weir repairs. It was reiterated that the ARBC will not fund these repairs.
- ARBC held a technical workshop at LSU on October 19, 2017 that was well attended to discuss developing a hydrological model for the Basin. DOTD is developing this model with funding from a Community Development Grant Program. ARBC would like to move forward to do a topographical map of the basin using LIDAR. This will allow determination of inundation levels for flood elevations and consideration of future projects, programs and strategy.
- Rental Properties: Rietschier said that in his opinion, ARBC should demolish the structures because of liability reasons. A motion was offered by Thompson, second by Thibeau to request estimates on the cost to demolish the structures on Lower Baker Road, Carney Road and the trailers. The vote was as follows:

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Yeas: Ben Babin, Jerry Thibeau, David Hoover, James Little, Don Thompson

Nays: Tamiara Wade

Abstain: Burrell Carter

Absent: Lionel Bailey, Willie George Lee, Larry Thomas, Kenneth "Wade" Welborn

Vacancies: East Feliciana Parish and St. James Parish

- DOTD Susan Douglas: Regarding the CRDC Project, Beech Grove Farms: The purchase of this property has been finalized. DOTD will issue an invoice when the final paperwork is received. Bourque HTRW: Mr. Bourque has executed the sale, and now needs the signature of ARBC's president. DOTD forwarded the Bourque appraisals and emails regarding approval of Bourque's counteroffer to ARBC this morning (Tuesday, 11.14.17) at Larry Bankston's request as Dietmar Rietschier is now questioning the price per square foot being paid. The only active land discussions taking place now are around acquiring construction servitude associated with the Bypass Road tie ins at US 61. There will be a meeting with all utilities located at US 61 on Thursday 11.16.17.7.

7. ARBC Legal Counsel:

- The Board unanimously approved a motion by Carter, second by Thibeau to advertise for bids Beech Grove Farms Hunting Lease.
- Resolution 1135: The Board unanimously approved a motion by Thompson, second by Carter to request an Attorney General Opinion regarding establishing a Trust Fund for OPEB funds.
- The Board unanimously approved a motion by Hoover, second by Carter to add to the agenda the item "Amend Resolution 1129".
- The Board unanimously approved a motion by Hoover, second by Thibeau to approve amended Resolution 1129 as follows: A Resolution authorizing Ben Babin, President, or Dietmar Rietschier, Executive Director, to execute the Act of Sale for the purchase of the lands designated as PARCELS 1 & 3 OF TRACT ADV 18, for the total sum of TWO HUNDRED THREE THOUSAND NINETY-SEVEN AND 00/100 (\$203,097.00) DOLLARS, from Betty E. Bourque (50% interest) (represented by Ronald Charles Bourque, duly authorized as per Power of Attorney) and from Leonce C. Bourque Testamentary Trust (50% interest), and to sign any and all documents agreement, permits, rights-of entry and any other instruments on behalf of the Amite River Basin Drainage and Water Conservation District in furtherance of the purchase of PARCELS 1 & 3 OF TRACT ADV 18, as more fully described in the Act of Sale in connection with the Comite River Diversion Project, State Project No. H.007811, East Baton Rouge Parish.

8. Old Business: None

9. New Business:

- No action was taken on agenda item "Discuss/Approval of Amendment No. 2 – Project Cooperation Agreement."
- Discuss/Approval of the 4<sup>th</sup> Amended CEA: The Board unanimously approved a motion by Carter, second by Hoover to write a letter to DOTD, Shawn Wilson, to discontinue/terminate the CEA with them if they do not agree to consider changing the 50/50 split agreement.
- The Board unanimously approved a motion by Hoover, second by Thibeau to approve the Louisiana Compliance Questionnaire, as presented. Bankston's office is preparing Policy and Procedures as required for next year's audit.

10. The Board unanimously approved a motion by Thompson, second by Carter to adjourn.

APPROVED:

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/s/ Ben Babin, ARBC President

Date: December 19, 2017

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/s/ Toni B. Guitrau, Executive Secretary